

**City of Somerville
Licensing Commission**

**Senior Center
Tufts Administration Building
167 Holland Street**

**Regular Meeting
Monday
June 16, 2014
6:00 p.m.**

Chairman Andrew Upton called the meeting to order. Present were Commissioner John J. McKenna, Commissioner Vito Vaccaro, Inspector Warren Chaille, Executive Secretary Jenneen M. Pagliaro and Principal Clerk Lori Jean Batzek.

Minutes of May 19, 2014 meeting were accepted as submitted.

Discussion of the proposed revisions to the rules and regulations pertaining to restaurants having Doors and Windows open. The Commission chose option 2 as proposed by Asst. City Solicitor David Shapiro at the 5/19/14 Hearing:

“Unless otherwise provided by the Somerville Licensing Commission, Licensees are permitted to keep doors in an open position between the hours of 8:00 a.m. and 9:00 p.m. Monday through Saturday, and on Sundays between the hours of 12:01p.m. and 9:00 p.m. Permission to have doors and windows in an open position at the licensed premises is a privilege granted by the Commission and may be modified, suspended, or withdrawn due to any violations that may occur at said premises.”

This matter is continued until the July 21, 2014 Hearing to allow more input.

Cory Mashburn, Somerville Cares About Prevention, presented an award to the Somerville Licensing Commission. The Commission placed item on file.

Communications

Federal Realty notified the Commission of a Media Public Relations Event hosted by Federal Realty at Assembly Row on May 30, 2014 from 3:00PM-5:00PM (Alcoholic Beverages served from Legendary Restaurant Group, LLC, Caterer). The Commission took administrative notice and placed item on file.

Alcoholic Beverages Control Commission Notice of Suspension, C & J Liquors, Inc. d/b/a Ball Square Liquors, 716 Broadway. The Commission took administrative notice and placed item on file.

Alcoholic Beverages Control Commission Notice of Suspension, Greek American Social Construction Club Inc., 79 Bow St. The Commission took administrative notice and placed item on file.

Common Victualler's License

Broadway Eatery
1157 Broadway

Present: Ari Kalogeropoulos

Mr. Kalogeropoulos came before the Commission requesting approval for a CommonVictualer license at 1157 Broadway.

This is a new owner with no other changes to business.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: To approve the Common Victualer license as presented.

Salume E Pane, Inc.
412-414 Highland Ave.

Present: John Maione

Mr. Maione came before the Commission requesting approval for a CommonVictualer license at 412-414 Highland Ave.

The new owner has restaurant experience.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: To approve the Common Victualer license as presented.

Special Alcohol License

Tufts University
Tufts Dining Services

Present: Eric Hamel

Mr. Hamel came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for a Water Systems Conference Reception to be held at Remis Sculpture Court in the Aidekman Arts Center, on June 18, 2014 from 5:30PM-7:30PM

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol License as presented.

Tufts University
Tufts Dining Services

Present: Eric Hamel

Mr. Hamel came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for a Water Systems Conference Reception (day 2) to be held at Remis Sculpture Court in the Aidekman Arts Center, on June 19, 2014 from 5:30PM-7:30PM

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol License as presented.

Starlab Recording Co.

Present: Matthew Price

Mr. Price came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for a Music & Arts Festival (StarLabFest) to be held outdoors in the parking lot at 32 Prospect St., on July 19, 2014 from 12:00PM-9:00PM.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol License as presented.

Paesani D'Italia

Present: Rocco DiRenzo

Mr. DiRenzo came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for a Dinner Reception for the Italian State Police to be held on October 11, 2014 from 6:00PM-12:00AM.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol License as presented.

Portuguese American Civic League
26 Springfield St.

Present: Monica Paiva

Ms. Paiva came before the Commission requesting approval of Three (3) Special Alcohol Licenses for the purpose of dispensing and selling alcoholic beverages for a Holy Ghost Feast to be held on July 11, 2014 from 6:00PM-12:00AM, July 12, 2014 from 8:00PM-12:00AM & July 13, 2014 from 1:00PM-10:00PM.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol Licenses as presented.

Red Bones Barbecue
55 Chester St.

Present: Robert Gregory

Mr. Gregory came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for the Annual Block Party to be held outdoors at the Intersection of Chester and Herbert Sts. on July 28, 2014 from 5:00PM-9:00PM (Rain date August 4, 2014)

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol License as presented.

Hellenic Assoc. of Somerville
d/b/a Greek Orthodox Church
29 Central St.

Present: Phil Dres

Mr. Dres came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for a Sweet 16 Birthday Party to be held on June 21, 2014 from 9:00PM-1:00AM

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol License as presented.

Amendment of Hours of Previously approved Special Alcohol License

Radio 92.9 Rock and Run Event d/b/a Greater Boston Radio, Inc. requesting approval for a Change of Hours on a Special Alcohol License that was approved by the Commission at the April 28th, 2014 Hearing for a June 21st 5K at Assembly Row from 10:00AM-2:00PM. New Hours will be 10:00AM-4:00PM.

Present: Mr. Swenson

Mr. Swenson stated that he would need some additional time for clean up, so he is requesting an extension to the previously approved hours.

On a motion duly made and seconded, it was

VOTED: to grant the change of hours on the Special Alcohol license.

Amendment of Dates of Previously approved Special Alcohol Licenses

Somerville Brewing Company, Inc. requesting approval to change dates of Special Alcohol Licenses that were approved by the Commission at the May 19, 2014 Hearing for a Food and Beer Garden to be held outdoors at 399 Canal St. Assembly Row. Original dates requested were June 15-July 14, 2014, New dates will be July 30-August 28, 2014

Present: Attorney Adam Dash

Atty. Dash representing Somerville Brewing Co., Inc. stated that the Food and Beer Garden are not yet ready to open and would like to extend the dates.

On a motion duly made and seconded, it was

VOTED: to grant the Change of Hours on the Special Alcohol License.

All Forms Alcoholic Beverages

7 Day Restaurant

Change of D/B/A

Precinct

70 Union Square

Present: Scott MacDonald

Mr. MacDonald came before the Commission requesting approval for a Change of d/b/a from Precinct to Brass Union.

Mr. MacDonald stated that they have made some change to the concept menu etc. and wanted a new name.

Chairman Upton questioned the changes and asked Mr. MacDonald why he didn't submit a request for changes.

Mr. MacDonald stated he wasn't changing the floor plan but rearranged the furniture.

Chairman Upton Checked the Rules and Regulations and decided that Mr. MacDonald should have asked for permission and will allow Mr. MacDonald to submit a letter for the next Licensing Hearing stating the changes to the establishment.

On a motion duly made and seconded, it was

VOTED: to grant the Change of manager

2 AM Closing

Mariachi Food Inc.
d/b/a/ El Potro Mexican Grill
61 Union Sq.

Present: Joe Carriero

Mr. Carriero

Mr. Carriero came before the Commission requesting approval for a 2AM Closing License for El Portro, 61 Union Sq.

Mr. Carriero stated that the customers have been requesting extended hours and feels they are losing customers to other business in the area with 2AM licenses.

Mr. Carriero stated they held a neighborhood meeting on June 10, 2014 and the ward alderman didn't show up. No one at the meeting spoke in opposition.

The business advertised the notice of extended hours in the newspaper and posted a notice in the window as well as notified any and all abutters.

Chris Kotter, a Somerville resident spoke in support of this application.

On a motion duly made and seconded, it was

VOTED: to grant the 2AM license

Alteration of Premises and Change of Manager

Broadway BBQ d/b/a/ East End Grill
118 Broadway

Present: Stephen Bandar

Mr. Bandar came before the Commission requesting approval for an Extension to the Premises to serve alcohol in the outdoor seating area and Change of Manager from Mike Cotter to Stephen Bandar

On a motion duly made and seconded, it was

VOTED: to grant the change of manager and an alteration of premises

(New) City License-Non Transferable
All Forms Alcoholic Beverages 7 Day Restaurant Licenses

Mark Food Enterprises, Inc.
d/b/a Oliveira's Steak House
120 Washington St.

Present: Attorney Scott Kuhn & Attorney Anthony Gargano

Atty. Kuhn & Atty. Gargano representing Oliveira's Steak House came before the Commission requesting approval for a New All Forms Alcoholic Beverages 7 Day Restaurant License.

This is a family run restaurant and has been in business for two years.

The business has sponsored events with the City. Atty. Kuhn stated that he contacted Ed O'Donnell today and wasn't able to speak with him.

Atty. Gargano stated the Ed O'Donnell of OSPCD called his office last week and Atty. Gargano was out of town. Atty. Kuhn spoke with Mr. O'Donnell but doesn't know enough about the applicant to answer his questions.

Chairman Upton stated that the business should do a lot of community outreach and support before the meeting.

Alderman Matt MacLaughlin sent a letter in support of this application.

Atty. Gargano stated this family had a restaurant in Peabody with an alcohol license. The business was sold in 2012 but the transfer of the license was not filed with the town. A

violation occurred with the new ownership shortly after the transfer and as a result they received a violation.

Commissioner Vaccaro stated this is a great location and this is a City Owned license and if they have any problems the City can take the license back.

Sue Thomas of OSPCD stated that the City is unable to recommend this application at this time due to lack of outreach to the community and limited number of licenses.

Commissioner Vaccaro stated he is inclined to vote yes and feels this is a good place for a license.

Chairman Upton made a motion to continue this Hearing until the next meeting so the applicant can do some additional community outreach.

On a motion duly made and seconded, it was

VOTED: To continue this matter at the July 21, 2014 Hearing

Commissioner Vaccaro Voted NO

There being no further business, the meeting was adjourned.

Respectfully submitted

Jenneen M . Pagliaro
Executive Secretary